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5 **UNITED STATES DISTRICT COURT**
6 **SOUTHERN DISTRICT OF CALIFORNIA**
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8 CHARLES GRAHAM, Derivatevely on
9 Behalf of Nominal Defendant LEAP
WIRELESS INTERNATIONAL, INC.,

10 Plaintiff,

11 v.

12 S. DOUGLAS HUTCHESON, AMIN
13 KHALIFA, GRANT BURTON, DEAN M.
14 LUVISA, MICHAEL B. TARGOFF, JOHN
D. HARKEY, JR., ROBERT V.
LAPENTA, MARK H. RACHESKY, M.D.,
and JAMES D. DONDERO,

15 Defendants,

16 and

17 LEAP WIRELESS, INTERNATIONAL,
18 INC.,

19 Nominal Defendant.

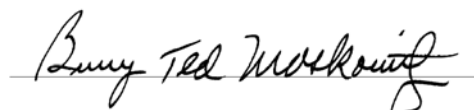
CASE NO. 08cv246 BTM(NLS)

**ORDER CONTINUING HEARING ON
MOTION TO DISMISS**

20 This case has been transferred to Judge Moskowitz. The hearing on Defendant Leap
21 Wireless International, Inc.'s motion to dismiss the derivative complaint is continued to
22 **August 15, 2008 at 11:00 a.m.** Unless otherwise directed by the Court, there shall be no
23 oral argument, and no personal appearances are required.

24 **IT IS SO ORDERED.**

25 DATED: June 17, 2008

26 

27 Honorable Barry Ted Moskowitz
28 United States District Judge